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5 IN THE UNITED STATES DISTRICT COURT
6
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 INFORMATICA CORPORATION, a
9 Delaware Corporation,

No. C 02-3378 JSW

10 Plaintiffs,

11 v.

**ORDER RESERVING ON
PARTIES' REQUESTS TO FILE
DOCUMENTS UNDER SEAL**

12 BUSINESS OBJECTS DATA
13 INTEGRATION, INC., formerly known as
14 ACTA TECHNOLOGY, INC., a Delaware
15 Corporation,

16 Defendants.

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18 AND RELATED COUNTERCLAIMS.
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21 Now before the Court are the requests by defendant Business Objects Data Integration,
22 Inc.'s ("BODI") and by plaintiff Informatica Corporation's ("Informatica") to file documents
23 under seal in support of their respective motions for summary judgment.

24 As a public forum, the Court will only entertain requests to seal that establish good cause
25 and are narrowly tailored to seal only the particular information that is genuinely privileged or
26 protectable as a trade secret or otherwise has a compelling need for confidentiality. Documents
27 may not be filed under seal pursuant to blanket protective orders covering multiple documents.
28 In addition, counsel should not attempt to seal entire pleadings or declarations without a
particularized showing explaining why the request could not be more narrowly tailored. Any
order granting a request to seal shall direct the sealing of only those documents, pages, or if
practicable, those portions of documents or pages that contain the information requiring

1 confidentiality. All other portions of such documents shall remain in the public file. Civil L.R.
2 79-5(b) & cmt.

3 Pursuant to Local Civil Rule 79-5(d), when a party files a motion to file a document
4 under seal that has been designated as confidential by another party, the designating party must
5 file within five days of the motion to seal a declaration establishing that the designated
6 information is sealable, or must withdraw the designation of confidentiality. If the designating
7 party fails to file the required declaration, the documents will be made part of the public record.
8 Civ. L.R. 79-5(d).

9 In support of the requests to file under seal, both parties stated that the requested
10 documents were designated as confidential, either by themselves, the other party, or a third
11 party, without specifying what documents were designated by whom and without making a
12 showing of good cause with respect to any document. Therefore, the Court HEREBY
13 RESERVES RULING on the parties' requests to file documents under seal. With respect to
14 both requests, each party is directed to file within five days a declaration establishing that the
15 information designated by it is sealable, or must withdraw the designation of confidentiality.
16 With respect to the documents designated by a third party, Informatica is directed to serve a
17 copy on such third parties of its request to file under seal and of this Order by no later than
18 August 8, 2006. Informatica shall file a proof of service. Each third party is directed to file a
19 declaration establishing that the information designated by it is sealable, or must withdraw the
20 designation of confidentiality, within five days of being served with this Order. If any party fails
21 to timely file the required declarations, the documents it designated as confidential will be
22 publicly filed.

23 **IT IS SO ORDERED.**

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25 Dated: August 7, 2006


26 JEFFREY S. WHITE
27 UNITED STATES DISTRICT JUDGE
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